

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
BOARD OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**AGENDA
FOR THE MEETING OF THE
BOARD OF LAND AND NATURAL RESOURCES**

DATE: FRIDAY, AUGUST 9, 2019
TIME: 9:15 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

19 AUG -2 08:34
LIEUTENANT GOVERNOR'S
OFFICE

In some of the matters before the Board, a person may wish to request a contested case hearing. If such a request is made before the Board's decision, then the Board will consider the request first – before considering the merits of the item before it. A person who wants a contested case may also wait until the Board decides the issue, then request the contested case after the decision. It is up to you. Any request must be made orally by the end of the meeting and followed up in writing within ten days. If no request for contested case is made, the Board will make a decision. The Department will treat the decision as final and proceed accordingly.

C. DIVISION OF FORESTRY AND WILDLIFE

1. Request for Delegation of Authority to the Chairperson to Enter a Memorandum of Understanding with Hika`alani.

D. LAND DIVISION

1. Grant of Term, Non-Exclusive Easement to George M. Mori for Access Purposes and Cancellation of Revocable Permit S-7516, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-8-007: Por. 015.

2. Issuance of Right-of-Entry Permit to Hawaii Surfing Association Maui for an Amateur Surf Competition at Haneoo (Koki Beach), Hamoa, Hana, Maui, Tax Map Key: (2) 1-4-007: 009.

3. Seeking Authorizations for Various Actions Relating to the Proposed Mixed-Use Residential Development at 902 Alder Street, Kewalo, Honolulu, Oahu, Tax Map Key: (1) 2-3-012:019:
 - a) Cancellation of Governor's Executive Order No. 1577 and Reset Aside to the Hawaii Housing Finance and Development Corporation for Mixed-use Residential and Current and Future Family Court Services including Shelter Services for Juveniles under the Jurisdiction of the Court;
 - b) Issuance of Right-of-Entry Permit to the Hawaii Housing Finance and Development Corporation;
 - c) Consent to the Right-of-Entry Permits to be issued by the Hawaii Housing Finance and Development Corporation related to the development of the project;
 - d) Authorize the Creation of a Condominium Property Regime; Authorize the Chairperson to Execute Documents related to the Condominium Property Regime;
 - e) Consent to the Leases issued by the Hawaii Housing Finance and Development Corporation to the Selected Developer and the Judiciary; and
 - f) Consent to Mortgage.

4. Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Special Event Aerial Fireworks Display at Duke Kahanamoku Lagoon on September 19, 2019, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portion of 021.

5. Amend Prior Board Action of March 23, 2007, Item D-5, *Grant of Perpetual, Non-Exclusive Easement to the City and County of Honolulu for Drainage Purposes, Maunalua, Honolulu, Oahu, Tax Map Key: (1) 3-9-027:007 seaward.*

The purpose of the amendment is to add Section 171-53(c), Hawaii Revised Statutes to the Legal Reference section.

6. Withdrawal from Governor's Executive Order No. 1598 issued to Department of Agriculture and Sale of Remnant (Abandoned Ditch Right-of-Way) to Irene I. Chung, Lawrence Y. Ito, Mary Y.I. Gehrke, David D. K. Ito, and Paul T. Ito;

Waimanalo, Koolaupoko, Oahu, Tax Map Key: (1) 4-1-024:115.

7. Issuance of Right-of-Entry Permit to the University of Hawaii, by its Department of Oceanography, for Air-Sea Gas Exchange and Inert Dye Release Study Purposes Over Submerged Lands in Kaneohe Bay; Kaneohe, Koolaupoko, Oahu; Tax Map Key: N/A – Submerged Lands.

E. STATE PARKS

1. Authorize the Department of Land and Natural Resources, Division of State Parks to Directly Negotiate a 15-year Lease with The Storybook Theatre of Hawai'i, an Eleemosynary Organization, for Arts Education at Lots 14, 90, and 91 situated at Pu'u Ka Pele, Waimea (Kona), Kaua'i, Hawai'i, Tax Map Key: (4) 1-4-002:024.

F. DIVISION OF AQUATICS

1. Request for Approval to Enter into a Memorandum of Agreement Between the State of Hawaii, Board of Land and Natural Resources and the State of Hawaii, Department of Transportation regarding the New Kapalama Container Terminal Wharf and Dredging, Honolulu Harbor, Oahu, Hawaii (Job H.C. 10498) and the Proposed Offset Measure Designed to Offset the Losses to Coral on Man-Made Substrates.
2. Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Research Permit to Jennifer Samson, National Oceanic and Atmospheric Administration, Pacific Island Fisheries Center, for Access to State Waters to Conduct Activities for the Pacific Reef Assessment and Monitoring Program.

J. DIVISION OF BOATING AND OCEAN RECREATION

1. Denial of Petitions for Contested Case Hearing by Alan McConnell, Wanda Azzario-Goldberg, James Callahan, and The Wailoa River And Reed's Bay Association (WRRBA), regarding the June 14, 2019, meeting of the Board of Land and Natural Resources (Board), Agenda Item J-1: Request for Approval and Adoption of Amendments to Title 13, Hawaii Administrative Rules (HAR), Chapters 13-234, Small Boat and State Boating Facility Fees and Charges, and 13-253, Catamaran Registration Certificate, Other Registration, and Commercial Use Permit Fees.

L. ENGINEERING

1. Appointment of Yarrow Flower to Serve as a Director of the Central Maui Soil and Water Conservation District
2. Appointment of Pueo S. Wright to Serve as a Director of the Hana Soil and Water Conservation District
3. Appointment of Garret Hew to Serve as a Director of the Olinda-Kula Soil and Water Conservation District
4. Appointment of Kimo Falconer to Serve as a Director of the West Maui Soil and Water Conservation District

M. OTHERS

1. Issuance of a Revocable Permit for Vehicle Parking, All Nippon Airways Co., Ltd., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
2. Issuance of a Revocable Permit for a T-Hangar for Storage and Maintenance of Aircraft, Jim Jacobs, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: 020 (Portion).
3. Issuance of a Revocable Permit for Marketing and Visitor Information Podiums, Hilton Resorts Corporation dba Hilton Grand Vacations, Ellison Onizuka Kona International Airport at Keāhole, Tax Map Key: (3) 7-3-43: 040 (Portion).
4. Issuance of a Month to Month Permit to MARISCO, LTD., for Submerged land for site of Lil Perris Dry Dock for Ship Building and Repair Facilities, situated at Pier 9, Kalaeloa Barbers Point Harbor, Oahu, Tax Map Key: (1) 9-1-014:024 (Portion). Governor's Executive Order No. 3383.

The Board may go into Executive Session pursuant to Section 92-5(a) (4), Hawaii Revised Statutes, in order to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

TO BE PLACED ON THE MOVE UP AGENDA, PLEASE SIGN IN BY 9:00 A.M. THE DAY OF THE MEETING.

Public Testimony: e-mail: blnr.testimony@hawaii.gov

The Sunshine Law gives the public the opportunity to submit testimony, but it is your responsibility to submit written testimony in a timely manner, to give Board members sufficient time to consider written testimony, please submit the testimony no later than 24 hours prior to the Board Meeting.

Any late written testimony will be retained as a part of the record, but we cannot assure that Board members will receive it with sufficient time for review prior to decision-making.

Meeting materials are available for public review in advance of the meeting on our Website:

<http://www.dlnr.Hawaii.gov/meetings> or **in person** at 1151 Punchbowl Street, Rm 131, Honolulu, Hawaii 96813.

INDIVIDUALS REQUIRING SPECIAL ASSISTANCE OR AUXILIARY AIDS OR SERVICES (e.g., sign language interpreter, wheel chair accessibility, or parking designated for the disabled) AT THE BLNR MEETING, PLEASE CONTACT STAFF AT LEAST 72-HOURS PRIOR TO THE MEETING AT (808) 587-0404 SO THAT ARRANGEMENTS CAN BE MADE.